

**FILED**  
TIME: \_\_\_\_\_

**MAR 31 2010**

**JAMES BONINI, Clerk  
COLUMBUS, OHIO**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA

VS.

:

No. *2:10-cr-76-1*

MICHAEL T. MURRAY,

*JUDGE GRANTAM*

Defendant

PLEA AGREEMENT

Plaintiff United States of America and Defendant MICHAEL T. MURRAY hereby enter into the following plea agreement pursuant to Rule 11(c) of the Federal Rules of Criminal Procedure:

1. Defendant MICHAEL T. MURRAY will enter a plea of guilty to Count 1 of the Information filed herein which charges him with misprision of felony, in violation of 18 U.S.C. § 4.

2. Defendant MICHAEL T. MURRAY understands the maximum penalty that may be imposed pursuant to his plea of guilty is a term of imprisonment for 3 years, a fine of \$250,000.00 and 1 year supervised release. Defendant MICHAEL T. MURRAY further understands that the Court may order as part of a sentence in this case that the defendant make restitution to any victim of his offense.

3. Prior to or at the time of sentencing, the Defendant will pay a special assessment of \$100.00, as required in 18 U.S.C. §3013, to the United States District Court, at the Clerk's Office, 85 Marconi Boulevard, Columbus, Ohio 43215. Defendant will furnish to the government a receipt or other evidence of payment by the time of sentencing.

4. Defendant MICHAEL T. MURRAY agrees to testify truthfully and completely concerning all matters pertaining to the Information filed herein and to any and all other bribery and corruption of employees and persons acting for or on behalf of the United States Postal Service in the Southern District of Ohio in which he may have been involved or as to which he may

have knowledge. Defendant further agrees to provide a complete statement to authorities of the United States concerning such matters prior to the entry of his guilty plea pursuant to this agreement. Defendant agrees to submit to supplemental debriefings on such matters whenever requested by authorities of the United States, whether before or after his pleas are entered.

Pursuant to §1B1.8 of the United States Sentencing Guidelines, the government agrees that any self-incriminating information so provided will not be used against the Defendant in determining the applicable guideline range for sentencing, or as a basis for upward departure from the guideline range.

5. By virtue of the defendant pleading guilty to Count 1 of the Information, the defendant understands that he is not a prevailing party as defined by 18 U.S.C. §3006A (statutory note captioned "Attorney Fees and Litigation Expenses to Defense") and hereby expressly waives his right to sue the United States.

6. The defendant is aware that, in light of *United States v. Booker*, 543 U.S. 220 (2005), the United States Sentencing Guidelines are advisory and are no longer mandatory. The defendant is further aware that the Court has jurisdiction and authority to impose any sentence within the statutory maximum set forth for the offense to which the defendant pleads guilty. The defendant is aware that the Court has not yet determined a sentence. The defendant is further aware that any estimate of a probable sentencing range under the United States Sentencing Guidelines that the defendant may have received, or may receive in the future, from his counsel, the United States, or the probation office is a prediction, not a promise, and is not binding on the United States, the Probation Department or the Court. The United States makes no promise or representation concerning the sentence that the defendant will receive, and the defendant cannot withdraw his guilty plea based upon the actual sentence imposed.

7. If such plea of guilty is entered, and not withdrawn, and Defendant MICHAEL T. MURRAY acts in accordance with all other terms of this agreement, the United States Attorney for the Southern District of Ohio agrees not to file additional charges against Defendant

MICHAEL T. MURRAY based on the activities charged in the Information.


8. Defendant MICHAEL T. MURRAY understands that this agreement does not protect him from prosecution for perjury, should he testify untruthfully, or for making false statements, nor does it protect him from prosecution for other crimes or offenses as to which he does not make admissions or give truthful information and which the United States discovers by independent investigation. Further, should Defendant MICHAEL T. MURRAY fail to comply fully with the terms and conditions set forth herein or should he fail to appear as required for sentencing, this agreement is voidable at the election of the government, in which case Defendant MICHAEL T. MURRAY shall be subject to prosecution as if the agreement had never been made.

9. It is agreed if the Court refuses to accept any provision of this Plea Agreement, neither party is bound by any of its provisions, Defendant MICHAEL T. MURRAY may withdraw his guilty plea, and the United States Attorney for the Southern District of Ohio may proceed with prosecution pursuant to the Information without prejudice.


10. The parties acknowledge that this Plea Agreement results from prior discussions between the attorney for the government and the defendant's attorney, that all promises, agreements, and conditions relative to this matter have been expressly set forth herein, and that no additional promises, agreements, or conditions will be made unless in writing and signed by all parties.

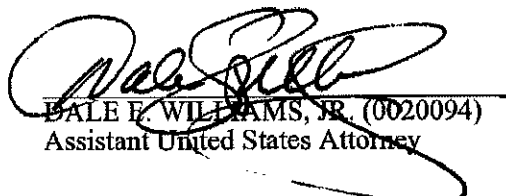
3-9-10  
Dated

  
MICHAEL L. MURRAY  
Defendant

  
R. SCOTT CROSWELL (0019726)  
Attorney for Defendant

CARTER M. STEWART  
United States Attorney

I Certify that this is a true  
and correct copy of the  
original filed in my office  
on 3/31/10,  
JAMES BONINI, CLERK  
By:   
Date: 4/5/10

  
DALE E. WILLIAMS, JR. (0020094)  
Assistant United States Attorney